

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHELLE LOSCALZO,

Plaintiff,

-against-

07 Civ. 3046 (SCR))

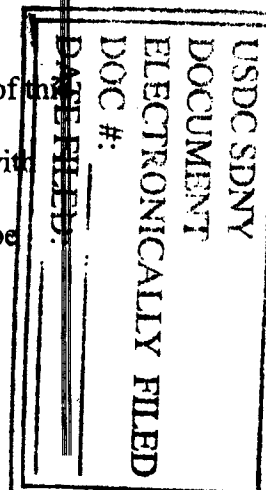
NEW ROC HARLEY DAVIDSON  
AND BUELL, INC.,

Defendant.

**STIPULATION AND ORDER OF CONFIDENTIALITY**

IT IS HEREBY STIPULATED AND AGREED that documents and information produced in response to Defendant's First Request for Documents and First Set of Interrogatories which contain confidential information and are not public or publicly available documents, are and shall remain confidential information, and have been disclosed by Plaintiff to be utilized solely in connection with the above-captioned action by:

- (1) the Court, Court personnel, court reporters and depositions and, if applicable, the Jury;
- (2) the Defendant and its attorney of record, other attorneys acting "of counsel" for the Defendant in this action provided said attorneys are shown a copy of this Stipulation and agree to be bound by same, and persons employed in said attorneys' offices;
- (3) persons retained in this action to assist in the prosecution or defense of the action including technical and professional experts and persons employed and affiliated with such experts provided that said individuals are shown a copy this Stipulation and agree to be



MICHELLE LOSCALZO

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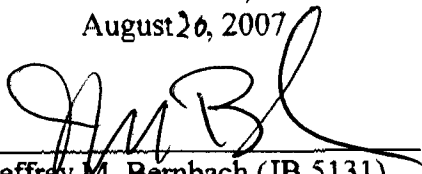
bound by same; and

(4) witnesses during the course of depositions, trial testimony or pre-deposition or pre-trial preparation.

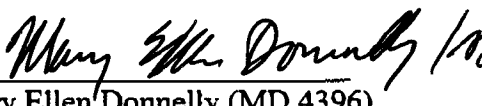
No designation of "Confidential" shall be effective unless there is placed or affixed on the designated information, document or thing (in such manner as will not interfere with the legibility thereof) a "Confidential" notice or the equivalent. Any "Confidential" designation which is inadvertently omitted subsequent to the execution of this Confidentiality Order may be corrected by prompt written notification to opposing counsel.

Nothing contained in this Confidentiality Order shall be construed to prevent Defendant from petitioning the Court, upon notice for an order modifying or eliminating any "Confidentiality: designation. If the parties disagree about whether certain information, documents, or things should be designated as "Confidential," the parties will confer in good faith to resolve their differences. In the absence of any agreement resolving these differences, the parties, jointly, shall refer the matter to the Court to resolve the dispute.

Dated: White Plains, New York  
August 26, 2007

  
Jeffrey M. Bernbach (JB 5131)  
Bernbach Law Firm PLLC  
245 Main Street, 5th Floor  
White Plains, New York 10601  
*Attorney For Plaintiff*

Dated: New York, New York  
August 10, 2007

 (AS 3905)  
Mary Ellen Donnelly (MD 4396)  
Putney, Twombly, Hall & Hirson LLP  
521 Fifth Avenue  
New York, New York 10175  
(212) 682-0020  
*Attorneys for Defendant*

SO ORDERED:

Dated: New York, New York  
~~August~~ <sup>September</sup> 13, 2007

  
STEPHEN C. ROBINSON  
United States District Court Judge